

FORM NLRB-501

I.O.

FORM EXEMPT UNDER 44 U.S.C. 3512

UNITED STATES OF AMERICA

NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 29-CA-260062	Date Filed May 6, 2020

INSTRUCTIONS

File an original and 4 copies of this charge with National Labor Relations Board Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer Amazon.com Services, Inc.		b. Number of workers employed 10,000
c. Address (street, city, state, ZIP code) 1 Bulova Avenue, Woodside, New York 11377	d. Employer Representative Eden Rosario. Mgr.	e. Telephone No. & Fax No. unknown
f. Type of Establishment (factory, mine, wholesaler, etc.) Warehouse	g. Identify principal product or service Online Order Fulfillment	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsection (1) of the National Labor Relations Act.		
<p>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)</p> <p>Since on or about March 21, 2020, the above-named Employer, by its officers, agents, and representatives, promulgated and maintained a rule prohibiting employees from engaging in protected, concerted activities without prior notification to management in order to discourage employees from engaging in protected, concerted activities.</p> <p>On or about March 21, 2020, the above-named Employer, by its officers, agents, and representatives, threatened to issue written warnings to employees in retaliation for their protected, concerted activities.</p> <p>On or about (b) (6), (b) (7)(C), the above-named Employer, by its officers, agents, and representatives, issued a written warning to an employee in retaliation for (b) (6), (b) (7)(C) protected, concerted activities.</p> <p>On or about (b) (6), (b) (7)(C), the above-named Employer, by its officers, agents, and representatives, changed job assignments of employees in retaliation for their protected, concerted activities.</p>		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)		
4a. Address (street and number, city, state and ZIP code) (b) (6), (b) (7)(C)		4b. Telephone No. & Fax No. (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization).		
6. DECLARATION		
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		

(b) (6), (b) (7)(C)

By

(

ge)

(b) (6), (b) (7)(C)

An Individual

Address :

Same As Above

Telephone No

Same As Above

Date

5/6/20

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlr.gov
Telephone: (718)330-7713
Fax: (718)330-7579



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June 4, 2020

Aiden Rosario, Mgr.
Amazon.com Services, Inc.
311 S. HIGHWAY 146
BAYTOWN, TX 77520

Re: Amazon.com Services, Inc.
Case 29-CA-260062

Dear Mr. Rosario:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney Evamaria Cox whose telephone number is (718)765-6172. If the agent is not available, you may contact Supervisory Attorney NANCY LIPIN whose telephone number is (718)765-6208.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Drew-King", is positioned above the typed name.

KATHY DREW-KING
Regional Director

Enclosure: Copy of first amended charge

cc: MICHAEL E. LIGNOWSKI, ESQ.
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market St
Philadelphia, PA 19103-2901

Andriette A Roberts, Esquire
Morgan, Lewis & Bockius, LLP
101 Park Avenue, 37th Floor
New York, NY 10178

Ross H. Friedman, ESQ.
Morgan, Lewis & Bockius LLP
77 West Wacker Drive, Suite 500
Chicago, IL 60601-5094

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON.COM SERVICES, INC.

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 29-CA-260062

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on June 4, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Aiden Rosario, Mgr.
Amazon.com Services, Inc.
311 S. HIGHWAY 146
BAYTOWN, TX 77520

MICHAEL E. LIGNOWSKI, ESQ.
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market St
Philadelphia, PA 19103-2901

Andriette A Roberts, Esquire
Morgan, Lewis & Bockius, LLP
101 Park Avenue, 37th Floor
New York, NY 10178

Ross H. Friedman, ESQ.
Morgan, Lewis & Bockius LLP
77 West Wacker Drive, Suite 500
Chicago, IL 60601-5094

June 4, 2020

Date

Tasha V. Fred, Designated Agent of NLRB

Name

/s/ Tasha V. Fred

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlr.gov
Telephone: (718)330-7713
Fax: (718)330-7579



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June 4, 2020

(b) (6), (b) (7)(C)

Re: Amazon.com Services, Inc.
Case 29-CA-260062

Dear (b) (6), (b) (7)(C):

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Attorney Evamaria Cox whose telephone number is (718)765-6172. If the agent is not available, you may contact Supervisory Attorney NANCY LIPIN whose telephone number is (718)765-6208.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Drew-King", written in a cursive style.

KATHY DREW-KING
Regional Director



UNITED STATES GOVERNMENT
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Aiden Rosario, Mgr.
Amazon.com Services, Inc.
1 Bulova Avenue
Woodside, NY 11377

June 26, 2020

Re: Amazon.com Services, Inc.
Case 29-CA-260062

Dear Mr. Rosario:

Enclosed is a copy of the second amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney Evamaria Cox whose telephone number is (718)765-6172. If the agent is not available, you may contact Supervisory Attorney NANCY LIPIN whose telephone number is (718)765-6208.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the third amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence

submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Drew-King", written in a cursive style.

KATHY DREW-KING
Regional Director

Enclosure: Copy of second amended charge

cc: MICHAEL E. LIGNOWSKI, ESQ.
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market St
Philadelphia, PA 19103-2901

Andriette A Roberts, ESQ.
Morgan, Lewis & Bockius, LLP
101 Park Avenue, 37th Floor
New York, NY 10178

Ross H. Friedman, ESQ.
Morgan, Lewis & Bockius LLP
77 West Wacker Drive
5th Floor
Chicago, IL 60601-5094

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON.COM SERVICES, INC.

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 29-CA-260062

AFFIDAVIT OF SERVICE OF SECOND AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on June 26, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Aiden Rosario, Mgr.
Amazon.com Services, Inc.
1 Bulova Avenue
Woodside, NY 11377

MICHAEL E. LIGNOWSKI, ESQ.
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market St
Philadelphia, PA 19103-2901

Andriette A Roberts, ESQ.
Morgan, Lewis & Bockius, LLP
101 Park Avenue, 37th Floor
New York, NY 10178

Ross H. Friedman, ESQ.
Morgan, Lewis & Bockius LLP
77 West Wacker Drive
5th Floor
Chicago, IL 60601-5094

June 26, 2020

FREDA DEVONSHIRE, Designated
Agent of NLRB

Date

Name

/S/
Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlr.gov
Telephone: (718)330-7713
Fax: (718)330-7579



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(b) (6), (b) (7)(C)

June 26, 2020

Re: Amazon.com Services, Inc.
Case 29-CA-260062

Dear (b) (6), (b) (7)(C):

We have docketed the second amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Attorney Evamaria Cox whose telephone number is (718)765-6172. If the agent is not available, you may contact Supervisory Attorney NANCY LIPIN whose telephone number is (718)765-6208.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the second amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Drew-King". The signature is fluid and cursive, with the first name "Kathy" being more prominent.

KATHY DREW-KING
Regional Director



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov
Telephone: (718)330-7713
Fax: (718)330-7579

November 16, 2020

(b) (6), (b) (7)(C)

Re: Amazon.com Services, Inc.
Case 29-CA-260062

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Amazon.com Services, Inc. (the Employer) has violated the National Labor Relations Act.

Conditional Decision to Dismiss: Based on that investigation, the portion of your charge alleging that on (b) (6), (b) (7)(C), 2020, the Employer unlawfully issued you a written warning will be conditionally dismissed. I have decided to conditionally dismiss this allegation 6 months from today because there is no ongoing unlawful effect on your terms and conditions of employment as your (b) (6), (b) (7)(C) write-up expired after thirty (30) days and you were converted to regular full-time status. Under the circumstances, formal proceedings will not effectuate the purposes of the Act.

If a meritorious charge involving other unfair labor practices is filed against the Employer during that period, I will reconsider whether further proceedings on this charge are warranted.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov).

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **November 30, 2020**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 29, 2020. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 30, 2020**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 30, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,



KATHY DREW-KING
Regional Director

Enclosure

cc: Aiden Rosario, Mgr.
Amazon.com Services, Inc.
1 Bulova Avenue
Woodside, NY 11377

Michael E. Lignowski, Esq.
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103

Andriette A. Roberts, Esq.
Morgan, Lewis & Bockius, LLP
101 Park Avenue, 37th Floor
New York, NY 10178

Ross H. Friedman, Esq.
Morgan, Lewis & Bockius LLP
77 West Wacker Drive, 5th Floor
Chicago, IL 60601

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel
Attn: Office of Appeals
National Labor Relations Board
1015 Half Street SE
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

Case Name(s).

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

(Signature)

E-FILING TO APPEALS

1. **Extension of Time:** This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
2. **File an Appeal:** If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only **one (1) Appeal** can be e-filed to **each** determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
3. **Notice of Appearance:** Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
4. **Correspondence:** Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
5. **Position Statement:** The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
6. **Withdrawal Request:** If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.



A screenshot of a web-based e-filing interface. It shows a list of document types that can be selected for e-filing. The list is contained within a light blue border. At the top, there is a header "Extension of Time Request" with a blue information icon. Below this, there are five items, each with a blue plus icon in a square to its left and a blue information icon to its right: "File an Appeal", "Notice of Appearance", "Position Statement", "Withdrawal Request", and "Correspondence".

7. The selections of **Evidence** or **Other** should no longer be used.